

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Rachel Buhner	Team: Team # 3	CCRB Case #: 201405469	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 04/18/2014 6:45 AM	Location of Incident: § 87(2)(b) and the 73rd Precinct stationhouse	Precinct: 73	18 Mo. SOL 10/18/2015	EO SOL 10/18/2015	
Date/Time CV Reported Wed, 06/04/2014 12:12 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Wed, 06/04/2014 12:12 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. Officers			NARCBBN
2. An officer			Unknown
3. SGT John Parente	02431	933145	NARCBBN
4. SGT John Addeo	1350	945458	071 PCT

Officer(s)	Allegation	Investigator Recommendation
A.SGT John Parente	Abuse: On April 18, 2014, Sgt. John Parente authorized the entry and search of § 87(2)(b) in Brooklyn.	
B.SGT John Addeo	Abuse: On April 18, 2014, at § 87(2)(b) in Brooklyn, Sgt. John Addeo refused to show a search warrant to § 87(2)(b)	
C.SGT John Addeo	Discourtesy: On April 18, 2014, at § 87(2)(b), in Brooklyn, Sgt. John Addeo spoke rudely to § 87(2)(b)	
D. Officers	Abuse: On April 18, 2014, at § 87(2)(b) in Brooklyn, officers refused to provide their names to § 87(2)(b)	
E.SGT John Parente	Abuse: On April 18, 2014 at the 73rd Precinct stationhouse, Sgt. John Parente did not obtain medical treatment for § 87(2)(b)	
F. An officer	Abuse: On April 18, 2014, at the 73rd Precinct stationhouse, an officer did not obtain medical treatment for § 87(2)(b)	
G. An officer	Discourtesy: On April 18, 2014, at the 73rd Precinct stationhouse, an officer spoke spoke rudely to § 87(2)(b)	
H. An officer	Abuse: On an unknown date in April 2014, at the 73rd Precinct stationhouse, an officer did not process § 87(2)(b)'s complaint regarding officers.	

Case Summary

On April 18, 2014, at approximately 6:45am, officers from Narcotics Borough Brooklyn North executed a search warrant at § 87(2)(b)'s residence, located at § 87(2)(b), in Brooklyn, under the authorization of Sgt. John Parente (**Allegation A**). The door was forced open with a ram, and as a result, the door allegedly struck § 87(2)(b) causing him to sustain an injury to his right foot (**within Allegation A**). § 87(2)(b) was handcuffed, and allegedly asked to see a warrant, and in response, Sgt. John Addeo allegedly replied, "I don't have to show you shit" (**Allegation B and Allegation C**). § 87(2)(b) then requested the officers' names, and they allegedly refused (**Allegation D**).

§ 87(2)(b) was taken to the 73rd Precinct stationhouse, and as he was being placed in the holding cell, he allegedly requested medical attention from Sgt. Parente, and in response, he allegedly said, "We'll get around to that" (**Allegation E**). At an unknown time thereafter and while still in the cell, § 87(2)(b) banged on the walls and yelled for medical attention, and an officer allegedly responded, "Cut that shit out" (**Allegation F and Allegation G**). § 87(2)(b) was removed to the hospital at § 87(2)(b), where he was diagnosed with a contusion on his toe, and given his psychiatric medication. § 87(2)(b) was charged with possession of a controlled substance, and he also alleged that his apartment was not properly secured after officers left, resulting in the loss of his television and air conditioner. He also alleged that \$130 he had in his possession at the time of his arrest was not returned to him. These allegations were referred to IAB, CCRB case #§ 87(2)(b).

On an unknown date approximately four or five days after the original incident, § 87(2)(b) went to the 73rd Precinct stationhouse to file a civilian complaint, where he allegedly spoke to multiple officers. § 87(2)(b) was informed by an unidentified officer, whom he believed to be a detective, that he would address the complaint if § 87(2)(b) helped him solve crime in the neighborhood. § 87(2)(b) agreed, but he never heard back from the detective, or from anyone at the 73rd Precinct stationhouse (**Allegation H**).

The undersigned investigator received the case from Investigator Stephanie Mleczkowski on August 27, 2014.

Mediation, Civil and Criminal Histories

- § 87(2)(b) was not offered mediation due to his arrest.
- The New York City Office of the Comptroller indicated that as of August 29, 2014, § 87(2)(b) has not filed a Notice of Claim regarding the incident (encl. 3F).
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Civilian and Officer CCRB Histories

- This is the third CCRB complaint filed by § 87(2)(b) (encl. 2C). § 87(2)(b)
§ 87(2)(b)
§ 87(2)(b)
- Sgt. Parente has been a member of the NYPD for 11 years, and has had six previous CCRB allegations involving four cases with one substantiated allegation. The CCRB board recommended charges, and the NYPD disposition was Command Discipline – B. § 87(2)(g) (encl. 2A).
- Sgt. Addeo has been a member of the NYPD for seven years, and at the time of the incident, he held the rank of police officer, but since has been promoted to the rank of sergeant, and will be referred to as such throughout the report. During his seven year tenure, Sgt. Addeo has had 12 previous CCRB allegations involving six cases with no substantiated allegations. § 87(2)(g) (encl. 2B).

Potential Issues

- Due to vague officer descriptions provided by § 87(2)(b) for both incidents, it was deemed necessary for him to participate in a photo array in order to determine the subject officers of Allegations A-F. Multiple attempts were made to contact § 87(2)(b) via telephone and mail in order to arrange an appointment; however, he remained unresponsive. He contacted the undersigned investigator on February 25, 2015, and became irate because he received a letter indicating that a portion of his complaint was forwarded to IAB and believed that the CCRB referred his entire case. Despite clarification, § 87(2)(b) remained unruly and cursed at the investigator, stating that he did not trust the CCRB. § 87(2)(b) refused to schedule a photo viewing and hung up on the investigator. As a result, § 87(2)(b) was deemed uncooperative.
- § 87(2)(b) could not provide a concrete date on which he allegedly went to the 73rd Precinct stationhouse to file a civilian complaint. § 87(2)(g)
§ 87(2)(b) s participation in a photo array imperative in order to determine the identification of the subject officer who allegedly refused to file his civilian complaint.

Police Documents

- Information regarding the search warrant for § 87(2)(b) s residence indicates that it was obtained on § 87(2)(b) in Kings County. The requesting officer is listed as Sgt. Addeo, and the supervising officer is Sgt. Parante. The execution date is listed as § 87(2)(b) and the assigned command is Narcotics Borough Brooklyn North (encl. 9F).
- The 73rd Precinct indicated that there was no Medical Treatment of Prisoner Report generated for § 87(2)(b) (encl. 5A).

Finding and Recommendations

Allegation Not Pleaded

- § 87(2)(g)
§ 87(2)(g)

- A referral was made to IAB regarding § 87(2)(b)'s allegation that his money was not returned to him, as well as his allegation that his apartment was not secured when officers left, and that as a result, his television and air conditioner were missing when he returned to his apartment.

Explanation of Subject Officer Identification

- According to the search warrant, Sgt. Addeo is the requesting officer, and Sgt. Parente was the supervising officer. Both officers acknowledged executing the search warrant at the location on the incident date, as well as acknowledged observing § 87(2)(b) inside the 73rd Precinct stationhouse, but did not interact with him.
- § 87(2)(g) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

Recommendations

Allegation A – Abuse of Authority: On April 18, 2014, Sgt. John Parente authorized the entry and search of § 87(2)(b), in Brooklyn.

It is undisputed that Sgt. Parente authorized officers assigned to Narcotics Borough Brooklyn North to enter and search § 87(2)(b) in Brooklyn on the basis of a valid search warrant obtained by Sgt. Addeo on April 17, 2014 (encl.9F).

During the entry, § 87(2)(b) alleged that the door came in contact with his person and he suffered an injury to his toe. Both Sgt. Addeo and Sgt. Parente testified that they did not witness the door make contact with § 87(2)(b) nor did they hear him complain of any subsequent injuries. § 87(2)(b)'s medical records indicate that he sustained a contusion to his right toe (encl. MR3-MR19). § 87(2)(g) [REDACTED]
[REDACTED]
[REDACTED].

According to New York State CPL 690.05 (encl. 1A-1H), a search warrant is a court order directing police to conduct a search of a designated premises.

§ 87(2)(g) [REDACTED]
[REDACTED]
[REDACTED].

Allegation B – Abuse of Authority: On April 18, 2014, at § 87(2)(b), in Brooklyn, Sgt. John Addeo refused to show § 87(2)(b) a warrant.

Allegation C – Discourtesy: On April 18, 2014, at § 87(2)(b), in Brooklyn, Sgt. John Addeo spoke rudely to § 87(2)(b).

§ 87(2)(g) [REDACTED]
[REDACTED]. In his statement, Sgt. Addeo, who was in possession of the warrant, stated that he left a copy of the warrant on § 87(2)(b) [REDACTED]'s coffee table. Despite doing this, he testified that he was never asked by § 87(2)(b) [REDACTED] to see the warrant, and did it on his own accord as a matter of procedure.

§ 87(2)(b) [REDACTED] testified that he asked a white male officer, whom he could not describe in any further detail, to see a copy of the warrant, and that he was denied. § 87(2)(g) [REDACTED]
[REDACTED] he did testify in his statement to having a copy of the warrant in his possession the time of execution, and leaving a copy of it on § 87(2)(b) [REDACTED]'s table, which he does as a matter of procedure. However, Sgt. Addeo and Sgt. Parente both testified that at no point did they hear § 87(2)(b) [REDACTED] request to see a copy of the search warrant.

§ 87(2)(g) [REDACTED]
[REDACTED] § 87(2)(b) [REDACTED] stated that in response to his request, he was allegedly told, "I don't have to show you shit". As discussed above, Sgt. Addeo did not recall hearing § 87(2)(b) [REDACTED] request to see a search warrant, and he testified that he did not say to § 87(2)(b) [REDACTED] "I don't have to show you shit", and did not hear any other officer do so. He also stated that at no point did he use any profanity with § 87(2)(b) [REDACTED] and did not hear any other officer do so. This is corroborated by Sgt. Parente in his testimony.

§ 87(2)(g) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

**Allegation D: Abuse of Authority: On April 18, 2014 at § 87(2)(b) [REDACTED]
in Brooklyn, officers refused to provide their names to § 87(2)(b) [REDACTED]**

Although it is undisputed that officers were present inside § 87(2)(b) [REDACTED]'s residence, § 87(2)(g) [REDACTED]
[REDACTED]. According to his statement, § 87(2)(b) [REDACTED] testified that he asked the officers for their names, but he did not specify to whom this request was directed, from how many officers this information was requested, if the request was acknowledged, or if the officers were aware that he made the request. § 87(2)(b) [REDACTED] did not provide any physical descriptions of the officers from whom he allegedly requested the information from, and when asked to specify from which officers he requested the information, he could not do so.

§ 87(2)(g) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

Allegation E – Abuse of Authority: On April 18, 2014 at the 73rd Precinct stationhouse, Sgt. John Parente did not obtain medical treatment for § 87(2)(b)

§ 87(2)(g) [REDACTED]
[REDACTED]. In his sworn statement, § 87(2)(b) testified that when being placed in the cells, he requested medical treatment from Sgt. Parente, and in response, Sgt. Parente allegedly said, “We’ll get around to that”.

In his testimony, Sgt. Parente stated that he did not hear § 87(2)(b) request medical attention from himself or any other officer, and did not deny him treatment, nor did he observe any other officer do so. Sgt. Addeo corroborated this, and stated that he did not hear § 87(2)(b) request medical attention, and did not hear, in response to the request, any officer say, “We’ll get around to it”.

§ 87(2)(g) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

Allegation F – Discourtesy: On April 18, 2014, inside the 73rd Precinct stationhouse, an officer spoke rudely to § 87(2)(b)

Allegation G – Abuse of Authority: On April 18, 2014 at the 73rd Precinct stationhouse, an officer did not obtain medical treatment for § 87(2)(b)

§ 87(2)(g) [REDACTED] § 87(2)(b) [REDACTED]
[REDACTED] 7(2)(b) [REDACTED].

§ 87(2)(b) allegedly made two requests for medical attention while at the 73rd Precinct stationhouse. The first refusal of medical treatment allegation was discussed above; however, the second request was allegedly made to an officer who § 87(2)(b) could not describe, and he also could not provide a time at which this request was allegedly made. According to § 87(2)(b) he banged on the cells walls and yelled multiple times that he wanted medical attention, and in response, an officer told him to “Cut that shit out”.

§ 87(2)(g) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED], the Holding Pen Roster indicates that § 87(2)(b) was lodged at 9am, and was escorted to § 87(2)(b) by PO Polanco at § 87(2)(b), § 87(2)(g) [REDACTED] encl. 5B).

§ 87(2)(g) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

§ 87(2)(g)

Allegation H – Abuse of Authority: On an unknown date in April 2014, at the 73rd Precinct stationhouse, an officer did not process § 87(2)(b)'s complaint regarding officers.

§ 87(2)(g)

§ 87(2)(b) In his sworn statement, he testified that approximately four to five days after the incident, on a Tuesday or Wednesday, he went to the 73rd Precinct and spoke with an “Inspector”, though he did not indicate why he believed he was such. § 87(2)(b) described the Inspector as a white male in his early 40’s with black hair, a medium build, and 6’1”-6’2” tall. However, § 87(2)(b) did not provide any description of his uniform. He was informed by this Inspector that he would assist him in his complaint if § 87(2)(b) agreed to help the Precinct solve crime in the area. § 87(2)(b) agreed, but never heard back from the Inspector, or anyone from the Precinct.

In a telephone statement obtained after his CCRB statement, § 87(2)(b) stated that he went to the stationhouse, likely Thursday, April 24, 2014 at approximately 10:30am, and spoke with a black female officer at the desk, and she provided him with a voucher for his money. He then spoke with a civilian secretary, who took § 87(2)(b) to the Deputy Inspector’s officer. § 87(2)(b) was aware of the officer’s rank because the sign on the door said, “Deputy Inspector” on it, as well as a name plate on the desk that read, “Inspector”, and tree leaves that he was wearing on his collar.

The Deputy Inspector then referred § 87(2)(b) to speak with a detective on the second floor, which he did. § 87(2)(b) alleged that the detective stated he would help § 87(2)(b) with his complaint if he helped the Precinct solve crime in the neighborhood. § 87(2)(b) agreed, but never heard back from the detective or anyone from the precinct. § 87(2)(b) described the detective as a white male in his late 20’s or early 30’s with a good build, but could not describe his clothing or his physical appearance in any more detail. In his initial CCRB statement, § 87(2)(b) described the Inspector as a white male of Italian descent in his early 40’s with a medium build and black hair.

§ 87(2)(g)

Team: _____

Investigator: _____
Signature Print Date

Supervisor: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date